

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56690 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- RAJAOLI District- Nawada

Upendra Mushar, aged 30 years, Male, S/O Ram Sahay Mushar R/O Jaub Kala, P.S- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Rajauli P.S. Case No. 180 of 2023 dated 26.03.2023 instituted under Sections 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 110 litres of country made mahua liquor; 1200 litres of fermented jawa mahua and two machines alleged to be used for manufacturing of liquor were recovered from Jaub Kala forest area.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. The informant has not



disclosed that who has told the name of the petitioner. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-2, Nawada in Rajauli P.S. Case No. 180 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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